

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
Facsimile: (317) 232-6758

IN THE MATTER OF THE VERIFIED )  
PETITION OF METRO TELECONNECT )  
COMPANIES, INC. FOR A CERTIFICATE )  
OF TERRITORIAL AUTHORITY TO )  
PROVIDE FACILITIES-BASED LOCAL )  
EXCHANGE TELECOMMUNICATIONS )  
SERVICES THROUGHOUT THE STATE )  
OF INDIANA, AND FOR AN ORDER BY )  
THE INDIANA UTILITY REGULATORY )  
COMMISSION DECLINING TO EXERCISE )  
ITS JURISDICTION, IN WHOLE OR IN PART, )  
TO THE FULLEST EXTENT ALLOWED BY )  
THE LAW, PURSUANT TO IND. CODE 8-1-2.6 )

CAUSE NO. 42485

**FILED**

NOV 12 2003

INDIANA UTILITY  
REGULATORY COMMISSION

**BY THE COMMISSION:**

**Lorraine Hitz-Bradley, Administrative Law Judge**

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

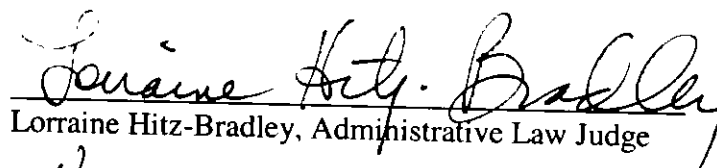
On July 24, 2003, Metro Teleconnect Companies, Inc. ("Petitioner") filed its Petition with the Indiana Utility Regulatory Commission for authority to provide facilities-based local exchange services to the public throughout the State of Indiana, and for an order by the Commission declining to exercise its jurisdiction, in whole or in part, to the fullest extent allowed by law, pursuant to I.C. 8-1-2.6.

Pursuant to notice and as provided for in 170 I.A.C. 1-1.1-15, a Prehearing Conference in this Cause was held in Room E306 of the Indiana Government Center South, Indianapolis, Indiana at 10:00 a.m., September 16, 2003. On October 16, 2003, the Presiding Officer issued a docket entry, continuing this matter until January, 2004, due to outstanding issues concerning the business of Petitioner and its transactions with Annox, Inc ("Annox"). On November 10, 2003, a prehearing conference was held in the investigation regarding Petitioner and Annox, at which a preliminary schedule was set.

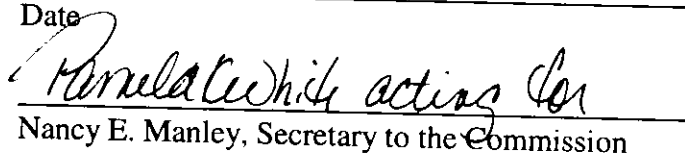
The Presiding Officer, being duly advised in the premises, hereby finds as follows:

It is abundantly clear that the investigation into the transactions between Metro and Annox will not be completed before the currently-scheduled evidentiary hearing. The Commission's duty to make a full examination of an applicant extends to a determination of whether the granting of such authority is in the public interest. The Commission is authorized by statute "to regulate and control the provision of telephone services to the public in an increasingly competitive environment, giving due regard to the interests of consumers and the public." I.C. 8-1-2.6-1. As such, the question of whether Metro engaged in unauthorized switching of telecommunications customers must be resolved before the Commission will address the granting of a certificate of territorial authority. The January 5, 2004 evidentiary hearing is vacated, and this Cause is continued pending further order.

**IT IS SO ORDERED.**

  
Lorraine Hitz-Bradley, Administrative Law Judge

November 12, 2003  
Date

  
Nancy E. Manley, Secretary to the Commission